



Guidelines For Establishing A Remote Telework Agreement

An Additional Help for ADS 405

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This policy guidance augments existing Agency policy in [ADS 405](#) on telework. These guidelines are provided to assist managers, supervisors, and employees in considering whether to establish a remote telework arrangement.

a. What is remote telework?

The U.S. Office of Personnel Management (OPM) defines remote telework as (1) a work arrangement in which the employee resides and works at a location beyond the local commuting area of the employing organization's worksite. (2) A full-time telework arrangement.

In most circumstances, because of the distance involved, the remote teleworker will not be physically reporting to the official worksite on a regular basis. If a teleworker is not scheduled to report to the official worksite at least two days each biweekly pay period, then the telework site becomes the official worksite (see [5 CFR 531.605\(d\)\(1\)](#)). As a result, these situations will involve a change of duty station or official work site to the telework site. (See [405.3.6](#) paragraph (c)). For additional information, please refer to OPM's guidance on Official Worksite For Location-Based Pay Purposes at http://www.opm.gov/oca/pay/HTML/Official_Duty_Station.asp.

b. What do employees and managers need to consider in whether or not to implement telework from a remote location?

The first consideration is identifying what the essential functions of the position are and whether they can be accomplished at a remote worksite. As a basis for discussion with the manager, the employee should provide a list of his or her major job tasks and propose how each will be performed from a remote location. The Telework Eligibility Exercise Charting Tool is a help document found in ADS 405. This form is useful in listing major duties and recurring tasks. Significant work assignments and initiatives that are in the employee's performance plan for accomplishment over the performance rating cycle must be taken into account, in addition to recurring tasks.

Positions that are more oriented toward research, writing, and analysis and that produce tangible results and work products are generally a good fit for teleworking at a remote location. Employees must be able to accomplish work requirements without close on-site supervision or continual interaction with other staff. The feasibility of how the employee will be able to interact from a remote location with his/her supervisor, coworkers, and internal and external contacts from USAID offices, Missions, and external organizations must be considered in determining whether the employee can perform all work requirements effectively.

One of the overarching principles of telework is its potential cost savings for the Federal Government. In reviewing an employee's proposed request for remote telework, management must identify the costs involved and compare these costs to the usual costs incurred at the regular worksite. The costs associated with a remote telework situation will not be funded centrally, and additional funds will not be made available for

this purpose. Once the costs have been identified, the Bureau/Independent Office must determine if there is sufficient funding to cover an employee working from a remote alternative worksite.

Agency policy requires that the remote telework arrangement must be cost neutral, if a cost savings cannot be realized. As a result, USAID will not approve telework requests that involve payment of costs related to an employee's permanent change of station travel to a remote telework location, transportation of household effects, and housing or living quarters allowance.

c. What is the impact of remote telework on pay and other conditions of employment?

(1) Duty Station

Remote telework usually involves a change in duty station where the employee is reassigned from his/her official worksite to the telework site. An employee's change of the official worksite to the alternative worksite location must be documented on a Notification of Personnel Action ([Standard Form 50](#)). (See "Duty Station" blocks 38 and 39 of SF-50 showing the city/town, county and state in which the official worksite is located.) In such cases, the employee's position remains in Washington, D.C., but the duty location will change to reflect the location where the employee is physically working. Guidance on documenting duty station changes on an employee record are found in Chapter 23 of [OPM's Guide to Processing Personnel Actions](#).

(2) Pay and Holidays

Reassignments of official worksite can affect pay. An employee whose official worksite is reassigned to an alternative worksite receives locality pay for the telework site which may be lower than his or her official worksite. Locality pay tables are available on USAID's Web page at <http://www.opm.gov/oca/11tables/indexGS.asp>. Also see OPM guidance on Official Worksite, Travel, and Related Policies at http://www.telework.gov/policies_and_procedures/official_policies/index.aspx. If the alternative worksite location is overseas, the pay of a USAID/W employee teleworking overseas is determined from the respective Foreign Service or Civil Service pay scale. Locality pay is not applicable to Civil Service employees working overseas. As a result, the General Schedule pay scale for Civil Service employees must be used. Foreign Service employees are paid according to the overseas Foreign Service pay scale including overseas comparability payments.

Remote teleworkers working overseas are only entitled to U.S. holidays. They are not entitled to premium pay or compensatory time when working on a local holiday. If work space is being provided by the host office at an overseas post and it is closed due to a local holiday, the employee must work from another work site approved by the supervisor (for example, his or her living quarters) or use annual leave or previously earned compensatory time.

(3) Overseas Allowances

Consistent with the Department of State Standardized Regulations, Section 040m, an employee will only be considered for overseas allowances that are not already paid according to family size or derived from being a dependent or family member of a sponsoring spouse or domestic partner.

In such cases, a package of benefits and allowances from the Government or a private sector employer usually will include permanent change of duty station travel, transportation of household effects, housing, and cost-of-living allowance(s) covering the employee and other family members. The employee will be eligible to receive danger pay, post hardship differential, and post allowance (COLA), if applicable, as long as the employee is not already receiving it as part of the spouse or domestic partner's compensation package based on family size.

(4) Travel

In accordance with 5 U.S.C. 5702, in a case where the official worksite is reassigned to the alternate worksite location, trips to the official worksite are considered "official business" and the employee is entitled to travel reimbursement. It is the responsibility of the B/IO to fund and make appropriate arrangements for the remote teleworker if he or she must travel to other Missions for the conduct of official duties or must return to the official worksite for periodic consultations or training. The physical distance between the official worksite and the telework site, the frequency of such travel, and other required TDY travel from the location of the alternate worksite must all be factored into the potential costs of the telework arrangement.

The compensation package for the sponsoring spouse or domestic partner may provide additional travel benefits like home leave and rest and recuperation (R&R) travel. Such travel would be granted to the employee based on being a dependent or eligible family member. In such a case, the only leave options available for both home leave and R&R are annual leave and leave without pay.

(5) Office Space and Equipment

If work arrangements involve using office space at an overseas post, the arrangements, including additional costs, if any, must be established between the host overseas post, the home B/IO office, and employee on a case-by-case basis.

These arrangements must be specified in the e-telework agreement to include work location (home or post), equipment, funding, phone, fax, copier use, International Cooperative Administrative Support Services (ICASS) costs, Capital Security Cost Sharing (CSCS) costs, etc. The home office should work with the Executive Officer or Controller and embassy ICASS staff to arrive at a cost estimate for any potential ICASS or CSCS costs.

(6) Medical Clearance

Employees who are teleworking overseas where their Foreign Affairs Agency spouse or domestic partner is assigned must receive a medical examination and be issued a medical clearance appropriate for a dependent, eligible family member, or domestic partner for the post at which they will be physically residing in accordance with [16 FAM 220](#).

(7) Chief of Mission (COM) Authority and Employee's Official Status Overseas

Employees who are teleworking overseas as U.S. Government executive branch employees are subject to chief of mission (COM) authority while teleworking overseas, although the employee will not be included in the Mission's staffing pattern or considered part of the post's regular staffing complement. The COM has authority over who is assigned to or resident at post, and the COM must be notified and agree to the employee's arrangements prior to his or her arrival at post.

Normally the employee will not play any role in policy or administrative issues pertaining to the country or region in which the host office or teleworking post is located but if in unusual circumstances the employee does play such a role, then that will have to be addressed under National Security Decision Directive (NSDD-38) procedures.

Employees who are teleworking overseas and accompanying their Foreign Affairs Agency spouse or domestic partner on an overseas assignment will be included on the spouse's or domestic partner's (in accordance with [3 FAM 1610](#)) permanent change of station (PCS) orders, which will authorize U.S. Government funded travel, unaccompanied air baggage (UAB), and household effects (HHE) shipments normally provided to an eligible family member (EFM) spouse or domestic partner.

Employees who are teleworking overseas and accompanying their Foreign Affairs Agency spouse or domestic partner will be so reported to the host government and will derive all applicable privileges and immunities. Assuming they meet the relevant eligibility criteria, employees may receive benefits normally accorded to EFM spouses or domestic partners, except those provided through family member appointment (FMA). These benefits include access to the Medical and Health Program ([16 FAM](#)) and evacuation coverage, pouch and mail facilities, R&R, home leave, and emergency visitation travel (EVT).

(8) Security

Employees are not permitted to telework with classified information at the telework site and must comply with all guidelines for remote operations from alternative work locations (see section [405.3.15](#)). Agency security policies do not change and are enforced at the same rigorous level when employees telework as when they are in the office. Employees who telework from an alternate work location must keep U.S.

Government property and information safe, secure, and separated from their personal property and information.

(9) Other Requirements and Conditions of Employment

Employees and supervisors must adhere to the Agency's telework policy in [ADS 405](#) and these supplemental guidelines.

Employees must complete the Agency's mandatory telework training before entering into an e-telework agreement.

Remote teleworkers must receive required annual performance appraisals from their supervisors in the home B/IO office in accordance with applicable regulations in [ADS 461](#) for Foreign Service employees and [ADS 462](#) for Civil Service employees. A telework arrangement must be reviewed by the employee's home B/IO supervisor on a quarterly basis to ensure that it meets the needs of the office and employee.

d. What are the eligibility requirements for remote telework?

Section [405.3.3](#) addresses the eligibility requirements for various types of telework. In addition to those requirements, the Agency limits consideration for remote telework to employees with a minimum of one year of prior service with USAID. Civil Service employees who are serving a probationary period as a new appointee are also not eligible for remote telework.

Foreign Service career candidates may be considered for remote telework but the time spent overseas teleworking will not be applied toward meeting the 18-month overseas service requirement for tenuring (see Mandatory Reference [414mad to ADS 414](#)). Career candidates should be cautioned that their appointments statutorily are limited to five years, and extensions are possible in only very limited circumstances (see Mandatory Reference [414mad to ADS 414](#)). If career candidates fail to complete all of their tenuring requirements, they will be separated from the Foreign Service upon expiration of their five-year time limited appointment.

In addition, time overseas teleworking is not creditable toward meeting the number of years required for promotion in the Foreign Service ([see section 463.3.4](#)).

e. What is the process for establishing a remote telework arrangement?

- (1) Employees who may be interested in remote telework should initially discuss the possibility and feasibility of such an arrangement with their immediate and second level supervisors. The first consideration is identifying what the essential functions of the position are and whether they can be accomplished at a remote worksite. The employee should provide a list of his or her major job duties and recurring tasks and propose how each will be performed from the alternative worksite.

Significant work assignments and initiatives that are in the employee's performance plan for accomplishment over the performance rating cycle must be considered, in addition to recurring tasks.

Another consideration is how the employee will interact and communicate with supervisors, co-workers, and internal and external offices, taking into account the physical distance between the home B/IO and remote work location.

The cost impact must be considered as part of the telework approval process and the requesting B/IO will be responsible for covering the cost out of its annual budget allocation.

- (2) All remote telework proposals must be reviewed and approved by the B/IO head with clearance by the Bureau for Management, Budget Division (M/MBPB/BUD), and the Office of Human Resources, Foreign Service Personnel Division Chief or Civil Service Personnel Division (OHR/FSP or OHR/CSP) and Policy & Programs Branch in OHR/PPIM. Each proposal should detail:

- The proposed effective date of the remote telework arrangement,
- The duration of the remote telework arrangement,
- The location of the alternate worksite,
- Major assignments and initiatives that will be performed,
- How supervision and communications will be carried out,
- The salary, if it would change, and overseas allowances, if applicable,
- The frequency of travel to the official worksite and other Missions,
- How office space, equipment, and supplies will be provided,
- The estimated costs of this arrangement which the home B/IO will fund or reimburse, and
- Confirmation and agreement from B/IO management that the cost of the telework arrangement can be covered by their current budget allocation for the specified length of time.

- (3) If approved, the B/IO management staff must provide the servicing human resources specialist in OHR/FSP or OHR/CSP a [Request for Personnel Action \(SF-52\)](#) to change the employee's duty station to the alternate worksite, if required.

In addition, the employee and the second level supervisor must complete an e-Telework Agreement, Form [AID 400-8](#). This form has been revised to include approvals and specific terms and conditions for remote telework. The employee must also complete the e-Telework Safety, Training and Resource Checklist, Form [AID 400-7](#). If the employee is accompanying a Foreign Service spouse or domestic partner, a copy of

his or her travel orders should be attached to the e-telework agreement. In addition, a copy of the employee's AEF, Forms [AID 461-1](#) for Foreign Service employees and [AID 462-1](#) for Civil Service employees for the current rating cycle should be attached to the e-telework agreement.

- (4) If the alternate worksite is overseas, the home B/IO office and employee are responsible for contacting the Chief of Mission to notify him or her regarding the teleworking arrangement and request his or her concurrence to the employment arrangements prior to the employee's arrival at the alternative worksite. This requirement must be documented on the e-telework agreement.

f. Termination of a Remote e-Telework Agreement

The employee or the second level supervisor of the home office may adjust or terminate the e-telework arrangement at any time if it no longer meets the needs of the office, for a decline in performance or productivity, for non-compliance with the terms of the agreement, etc. The employee must be notified in writing with the specific reason for the termination of the telework arrangement. Employees must receive advance notification of 30 days before the effective date of the termination. Additional information on terminating e-telework agreements is found in [ADS 405.3.5](#). An employee may cancel the e-telework agreement at any time with prior notification of 30 days. An employee may request an adjustment of his or her telework arrangement by providing a written justification to his or her first and second level supervisors for consideration.